

ATTACHMENT TO INTERVIEW OF OCTOBER 01, 2009 SER NO 10/590,860

Attorney Linda D. Chin, Registration No 58,205, contacted this Examiner to discuss the Final Rejection and possible amendments to overcome the rejections. Examiner indicated that the starting product is required in order to examine properly the claimed subject matter since the fermentation reaction would be any number of possible reactions whether the starting product requires oxidation of the starting product or reduction of the starting product or any number of possible reactants to form the final product. Furthermore, this Examiner indicated that the starting product e.g. one of the Examples in the specification would be satisfactory. However, the example does not contain any starting materials to produce the final product which is noted to be "fenol". The compound is not a known compound in the English language.

It was suggested that Applicants submit a CIP to correct the situation which includes a new matter pertaining to one of the claims which is not supported in the instant specification.

The search cannot be made properly to examine a final product without the process conditions having known ingredients for the extraction of unknown starting materials.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HERBERT J. LILLING whose telephone number is 571-272-0918. The examiner can normally be reached on WORK AT HOME MAXIFLEX.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JON WEBER can be reached on 571-272-0925. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

H.J.Lilling: HJL

(571) 272-0918

Art Unit **1657**

October 01, 2009

/HERBERT J LILLING/
Primary Examiner Art Unit 1657